

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9985

IN THE MATTER OF:

Served October 11, 2006

GOLD TRANSPORTATION, INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 978)

Case No. MP-2005-171

This matter is before the Commission on respondent's failure to comply with Order No. 9547, served May 11, 2006, which gave respondent thirty days to show cause why the Commission should not revoke Certificate No. 978 for respondent's willful failure to comply with Commission Rule No. 28, Commission Regulation Nos. 58, 60, and 67, and Commission Order No. 9301.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force".¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 978 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 978 was rendered invalid on November 9, 2005, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Respondent later submitted a \$1.5 million replacement endorsement with an effective date of December 6, 2005. This means that respondent was without insurance coverage for twenty-seven days, from November 9, 2005, through December 5, 2005.

Order No. 9301, served February 3, 2006, gave respondent thirty days to verify that it ceased operations as of November 9, 2005. The order also directed respondent to corroborate its verification with documents from its business records. Respondent subsequently verified that it did not transport any Medicaid passengers while suspended but failed to address whether it had rendered service to the general public while suspended and failed to produce any business records.

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

In the meantime, respondent was automatically assessed \$200 in late fees pursuant to Regulation Nos. 60-01 and 67-02, because it failed to file its 2005/2006 annual report and pay its 2006 annual fee.

Order No. 9547, served May 11, 2006, accordingly directed applicant to show cause why the Commission should not revoke Certificate No. 978 for respondent's willful failure to comply with Commission Rule No. 28, Commission Regulation Nos. 58, 60, and 67, and Commission Order No. 9301.

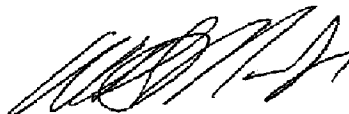
The record shows that the US Postal Service attempted delivery of Order No. 9547 at respondent's last known address, but respondent did not accept delivery and/or moved without leaving a forwarding address.

Certificate No. 978 shall be revoked pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Commission Rule No. 28, Commission Regulation Nos. 58, 60, and 67, and Commission Order No. 9301; provided, that the unpaid \$150 annual fee for 2006 and \$200 in late fees shall remain due and payable; and further provided, that the unfiled 2005/2006 annual report also shall remain due.

THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 978 is hereby revoked.
2. That within 30 days from the date of this order respondent shall:
 - a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
 - b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
 - c. surrender Certificate No. 978 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director